



1637 #
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. Katz

Serial No.: 09/922,277

Filed: August 3, 2001

Title: METHOD OF HAPLOTYPING
AND KIT THEREFOR

Case No.: 6832.US.O1

Group Art No.: 1637

Examiner: J. Fredman

In reply to: hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents
Washington, D.C. 20231, on:

Date of Deposit: December 12, 2002

Matthew H. Mader 12/12/02
Matthew H. Mader Date

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

TRANSMITTAL LETTER

Enclosed herewith for the patent application identified above are the following:

1. Response to Restriction Requirement
2. Request for Extension of Time *(in dupl. cate)*
3. Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 C.F.R. §1.16, as well as any patent application processing fees under 37 C.F.R. §1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025.



ABBOTT LABORATORIES
Telephone: (847) 937-7022
Facsimile: (847) 938-2623

Respectfully submitted,
D. Katz

David J. Schodin
David J. Schodin
Registration No. 41,294
Attorney for Applicants

RECEIVED

DEC 20 2002

TECH CENTER 1600/2900



RECEIVED

DEC 20 2002

TECH CENTER 1600/2900

PATENT

#5/88
11/2/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. Katz

Group Art No.: 1637

Serial No.: 09/922,277

Examiner: J. Fredman

Filed: August 3, 2001

In reply to: hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Title: METHOD OF HAPLOTYPING
AND KIT THEREFOR

Commissioner for Patents
Washington, D.C. 20231, on:

Case No.: 6832.US.O1

Date of Deposit: December 12, 2002

Matthew H. Mader 12/12/02
Matthew H. Mader Date

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is responsive to the Office Action dated October 29, 2002. The Office Action sets forth a restriction requirement between the claims of Group I (claims 1-18) and Group II (claims 19-22). The Office Action states that the inventions of these two groups are patentable distinct, and therefore has required restriction to one Group.

Applicant agrees that the subject matter of Group I and Group II are patentably distinct.

However, a restriction requirement is properly made only where it would represent an undue burden for the Examiner to search and consider the claims to multiple patentable inventions. Indeed, applicant suggests that the Examiner could not properly consider the claims directed to the subject matter of Group II without searching and considering the subject matter of Group I. Accordingly, applicant do not understand where an undue burden on the Examiner would arise in examining all the patent claims together, and the Office Action does not address this question.

Accordingly, applicant respectfully traverses the restriction requirement.


The Office Action points out that applicant is required to elect an invention despite the traversal of the restriction requirement. For this reason, applicant elects Group I (with traverse).

If, in the opinion of the Examiner, a telephonic conference would expedite the prosecution of the subject patent application, the Examiner is invited to contact applicant's undersigned attorney (rather than Mr. Steven Weinstock).



ABBOTT LABORATORIES
Telephone: (847) 937-7022
Facsimile: (847) 938-2623

Respectfully submitted,
D. Katz


David J. Schodin
Registration No. 41,294
Attorney for Applicants